

~~CONFIDENTIAL~~

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARLON JESSIE BLACHER,)	No. C 12-4775 RMW (PR)
)	
Petitioner,)	ORDER DENYING PETITIONER'S
)	MOTION FOR ENTRY OF DEFAULT
vs.)	AND DEFAULT JUDGMENT
)	
L.S. MCEWEN,)	
)	
Respondent.)	(Docket No. 54)

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court granted in part respondent's motion to dismiss and ordered respondent to show cause no later than November 30, 2014 why a writ of habeas corpus should not be granted based on the remaining claims. (Docket No. 48.) On November 13, 2014, respondent filed a motion requesting an extension of time to December 31, 2014, in which to file a response. (Docket No. 51.) On December 17, 2014, this court granted respondent's motion for an extension of time to file a response. (Docket No. 56.) Respondent filed a response on December 23, 2014. (Docket No. 57.) After being granted an extension of time by this court, petitioner filed a traverse on January 12, 2015. (Docket No. 63.)

Pending before this court is a motion requesting an entry of default and default judgment, filed by petitioner on December 11, 2014. (Docket No. 54.) Given the orders of this court

1 extending time for both petitioner and respondent, and the subsequent filings of respondent's
2 response and petitioner's traverse, this motion is **DENIED**. This case is now fully briefed and
3 submitted to this court for review.

4 This order terminated docket number 54.

5 IT IS SO ORDERED.

6 DATED: ~~Feb 11~~



RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARLON JESSIE BLACHER,
Plaintiff,

Case Number: CV12-04775 RMW

CERTIFICATE OF SERVICE

v.

L.S. MCEWEN et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 11, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Marlon Jessie Blacher #G-50077
C/O Cell A1-1222
California Men's Colony State Prison
P. O. Box 8101
San Luis Obispo, CA 93409

Dated: February 11, 2015

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk